IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 78 OF 2006
IN
CIVIL REVISION APPLICATION NO.201 OF 1996

Smt.Shabana Mohammed Hanif Sorathia. ..Applicant.

V/s.

Shri Siddique Mohammed Khan & ors. ..Respondents.

Mr.A.S.Kapse for V.S.Kapse for applicant.

CORAM: A.M.KHANWILKAR,J

DATE : JULY 12, 2006.

P.C. :

1. Although the explanation offered in this application is unacceptable, however as the litigant should not suffer for the mistake of the advocate, application is allowed in terms of prayer clause (a) and (b), on condition that the applicant shall serve the respondent No.2 with fresh notice returnable on 16th August, 2006. That be done by advocate’s notice by serving personally and/or by courier and/or by speed post and/or by email and/or by fax and file affidavit of service before the returnable date, failing appeal to stand dismissed for non-prosecution. In addition, advocate on record for the applicant shall pay costs to the High Court Legal

Services Committee quantified at Rs.750/- within one week from today as condition precedent for indulgence shown in this order.